

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

RICHARD LEANDRO MARTINEZ RIVERA

Debtor(s)

CASE NO. 24-01567-ESL

CHAPTER 13

**REPLY TO THE TRUSTEE'S UNFAVORABLE REPORT ON
CONFIRMATION OF THE PLAN DATED JUNE 11, 2024**

TO THE HONORABLE COURT:

COME(S) NOW, Debtor(s), represented by the undersigned attorneys, and very respectfully allege(s), state(s), and pray(s) as follows:

1. On April 17, 2024, the Trustee filed an Unfavorable Report for Confirmation (docket #37) of the Debtor's Plan dated June 11, 2024 (docket #15).
2. According to the last paystub received on December 26, 2024, and the total year-to-date income received from his from Valiant Security Inc., the Trustee determined an average monthly income of \$152.75 more than reported in Schedule J.
3. The above determination is accepted as to the income received during the year 2024.
4. That calculation, however, does not consider that the Debtor's bi-weekly employment hours were reduced by approximately ten hours on average from August through December 2024, which is slightly more than one working day. Additionally, it does not consider the increase in the cost of living in Puerto Rico over the past year.
5. In support of the abovementioned, the petitioner respectfully submits the paystubs he had available from July 8 through December 2024. These reflect that his gross YTD income as of July 21, 2024, was \$13,207.79 for a gross monthly average of \$2,201.29¹, while his subsequent YTD average monthly income from July 21 through December 2, 2024, amounted to \$12,204.60 for an

¹ The YTD gross as of amount of \$14,266.25 (07/26/2024 paystub #2354) minus the gross income of \$1,058.46 received in July 2024, results in the adjusted YTD of \$13,207.79 as of June 2024, which averaged from January to June 2024 results in a gross monthly income of \$2,201.29, or \$235.60 more than the \$1,965.70 amount listed in the Schedule I of record—based on the six months period before filing for relief, the Means Test period.

average gross monthly income of \$2,034.10², or \$68.40 more than the gross income listed in Schedule J, or less than a 3.50% increase in the gross monthly income listed in the schedule of record.

6. Based on the foregoing analysis the Debtor very respectfully submits that the increase in net is nil when the rise in cost of basic living expenses during 2024 is considered —electricity, fuels, food and household items across the board, just to mention a few.

WHEREFORE, the Debtor prays from this Honorable Court to take notice of the abovementioned, allow for the filing of the Amended Schedules I and J to reflect the above mentioned, deny the Trustee's objection to confirmation filed at docket #37, and confirm the plan dated June 11, 2024, with any further order it deems necessary under law.

CERTIFICATE OF SERVICE: I hereby certify that on this same date the foregoing motion was filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants. Furthermore, I certify that notice has been served by First Class U.S. Mail, postage prepaid, to all non-CM/ECF participants included in the attached master address list.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 30th day of January 2025.

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² YTD gross income amount of \$25,421.39 (12/26/2024 paystub #2548) minus the YTD gross amount of \$14,266.25 (07/26/2024 paystub #2354) results in \$11,146.14. Then adjust by adding back the July gross income of \$1,058.36 results in the gross income of \$12,204.60 for the period of July through December 2024—a monthly average of \$2,034.10.

Vaillant Security Inc

RICHARD L MARTINEZ
RIVERA

2354

Ingresos Descripción	Horas	Tarifa	Cantidad	Anual	Deducciones Descripción	Cantidad	Anual
Horas Regulares	92.04	11.500	1,058.46	14,266.25	Contribución sobre ingresos	105.85	1,426.65
Totales	92.04		1,058.46	14,266.25			

Período terminado en: 21/07/2024

Fecha de pago: 26/07/2024

Período comenzado en: 08/07/2024

Vaillant Security Inc

RICHARD L MARTINEZ
RIVERA

2548

Ingresos	Horas	Tarifa	Cantidad	Anual	Deducciones	Cantidad	Anual
Horas Regulares	86.73	11.500	997.40	25,421.39	Contribución sobre ingresos	99.74	2,542.15
Total	86.73		997.40	25,421.39		99.74	2,542.15

Período comenzado en: 09/12/2024

Período terminado en: 22/12/2024

Fecha de pago: 26/12/2024

Pago Neto

897.66

Label Matrix for local noticing

0104-3

Case 24-01567-ESL13

District of Puerto Rico

Old San Juan

Fri Apr 19 11:23:55 AST 2024

Amex

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

BMW FINANCIAL SERVICES BANKRUPTCY DEPT PO BOX 3608 DUBLIN, OH 43016-0306	(d)BMW Financial Services Attn Bankruptcy Correspondence Po Box 3608 Dublin, OH 43016	(d)BMW Financial Services Po Box 3608 Dublin, OH 43016
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